

Remarks

Specification Objections

The title of the application has been amended as suggested by the examiner therefore this objection is now overcome.

Claim Amendments

Claims 1 and 12 have been amended. Claims 2-6, 8-11, 13-21 remain unchanged. Claim 7 has been cancelled. Claims 22-23 have been presented here for the first time.

No new matter has been added by way of these amendments.

Claim Rejections

Claims 1-12 have been rejected under 35 USC 103(a) as obvious over Terrell et al (US4889187) in view of Robinson (US2001/0045282). Claim 1 has been amended to include the subject matter of claim 7. The Examiner has indicated that a claim directed to such subject matter would be allowable. Claim 12 has also been amended to include this feature into the claim. Claims 1 and 12 are now limited when the apparatus includes a rotatable mill head with a mill cutter

Neither Terrell nor Robinson disclose an electrically powered cutting tool where the cutting head is a rotatable mill head provided with a mill cutter. Terrell teaches the use of chemical cutting means and Robinson teaches the use of a notching technique to form openings in a well casing. Claims 1 and 12, as amended, are therefore considered to be novel and inventive. Claims 2-6, 8-11, 13-21 are all dependent, either directly or indirectly on amended claims 1 or 12, and are therefore also both novel and inventive.

Claim 20 is rejected under 35 USC 103(a) as being unpatentable over Terrell et al (US4889187) in view of Robinson (US2001/0045282) and further in view of Bailey (US6454007). As claim 20 is dependant on claim 12 that is valid for the reason set up above, it is considered that claim 20 is likewise valid.

The Examiner has indicated that the subject matter of claim 11 would be allowable if rewritten to

incorporate the subject matter of the base claim (claim 1). New claim 22 comprises such a claim.

The Examiner has indicated that the subject matter of claim 18 would be allowable if rewritten to incorporate the subject matter of the base claim (claim 12) and any intervening claims (claim 17). New claim 23 comprises such a claim. New claim 24 corresponds to claim 19 and is allowable for the same reason.

No new matter has been introduced by the addition of these claims.

Applicant is of the opinion that this reply is fully responsive to all outstanding issues. Accordingly the application is now deemed to be in a condition for allowance, and favourable reconsideration on the basis of these amendments and remarks is requested.

Applicants further note that a three month extension fee is required for consideration of this Amendment. Applicants hereby authorize payment of such fee from Deposit Account No. 50-2183 (21.1269).

Respectfully submitted,

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